



Mayne Island Local Trust Committee Regular Meeting Agenda

Date: November 30, 2020
Time: 1:00 pm
Location: Electronic Meeting

			Pages
1.	CALL TO ORDER	1:00 PM - 1:00 PM	
2.	APPROVAL OF AGENDA	1:00 PM - 1:05 PM	
3.	TOWN HALL AND QUESTIONS	1:05 PM - 1:30 PM	
4.	COMMUNITY INFORMATION MEETING		
5.	PUBLIC HEARING	1:30 PM - 2:00 PM	
5.1.	Mayne Island Local Trust Committee Bylaws 177 OCP & 178 LUB - Cotton Park Rezoning		
	Public Hearing binder under separate cover.		
6.	MINUTES		
6.1.	Local Trust Committee Minutes Dated October 26, 2020 (for Adoption)	2:00 PM - 2:10 PM	4 - 10
6.2.	Section 26 Resolutions-without-meeting Report		
	None		
6.3.	Advisory Planning Commission Minutes		
	None		
7.	BUSINESS ARISING FROM THE MINUTES		
7.1.	Follow-up Action List Dated November 2020		11 - 12
8.	DELEGATIONS		
9.	CORRESPONDENCE		
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>		

10.	APPLICATIONS AND REFERRALS	2:10 PM - 2:45 PM	
10.1.	MA-RZ-2018.1 (Cotton Park) Post Public Hearing - Staff Report (attached)		13 - 21
10.2.	MA-SUB-2018.3 (Peace) – Memo (attached)		22 - 22
10.3.	Mayne Island Housing Society - MA-RZ-2020.1 - Staff Report (attached)		23 - 36
11.	LOCAL TRUST COMMITTEE PROJECTS	2:45 PM - 3:15 PM	
11.1.	Groundwater Sustainability Project - Staff Report (attached)		37 - 46
11.2.	Mayne Bylaw 180 (LUB Review) - Staff Memo (attached)		47 - 47
12.	REPORTS	3:15 PM - 3:40 PM	
12.1.	Work Program Reports (attached)		
12.1.1.	<u>Top Priorities Report Dated November 2020</u>		48 - 49
12.1.2.	<u>Projects List Report Dated November 2020</u>		50 - 50
12.2.	Applications Report Dated November 2020 (attached)		51 - 54
12.3.	Trustee and Local Expense Report Dated September 2020 (attached)		55 - 55
12.4.	Adopted Policies and Standing Resolutions (attached)		56 - 59
12.5.	Local Trust Committee Webpage		
12.6.	Chair's Report		
12.7.	Trustee Report		
12.8.	Islands Trust Conservancy Report		
	None		
13.	NEW BUSINESS	3:40 PM - 3:55 PM	
13.1.	North Pender Island Bylaw No.222 Referral - For Response		60 - 62
14.	UPCOMING MEETINGS		
14.1.	Next Regular Meeting Scheduled for January 25, 2021 - Location: TBD		

14.2. Electronic Meetings

that in order to meet the principles of openness, transparency, and accessibility, meetings of the Mayne Island Local Trust Committee will be held electronically until Ministerial Orders under the *Emergency Program Act* and requirements or recommendations under the *Public Health Act* change regarding public attendance at trust body meetings; and that such meetings be live streamed, and the public invited to participate in meetings by connecting to the link or the phone number provided in the meeting notice, in order to observe proceedings and speak when invited by the Chair.

14.3. Special Meeting January 18th, 2021 - RE: Mayne Island Housing Policy Review

- | | | |
|-----|----------------|-------------------|
| 15. | TOWN HALL | 3:55 PM - 4:20 PM |
| 16. | CLOSED MEETING | |
| | None | |
| 17. | ADJOURNMENT | 4:20 PM - 4:20 PM |

DRAFT



Mayne Island Local Trust Committee Minutes of Regular Meeting

Date: October 26, 2020
Location: Electronic Meeting

Members Present: Dan Rogers, Chair
David Maude, Local Trustee
Jeanine Dodds, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Narissa Chadwick, Island Planner
Phil Testemale, Planner 2
Maple Hung, Planning Team Assistant (Host)
Pat Todd, Recorder

Public: There were approximately six attendees in the webinar.

1. CALL TO ORDER

Chair Rogers called the meeting to order at 1:10 p.m. Trustee Maude acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was adopted as presented.

Chair Rogers spoke to the Closed Meeting held on September 26, 2020, and that there was no Rise and Report.

3. TOWN HALL AND QUESTIONS

Jon Hoff reported being unable to join via Zoom and Chair Rogers reported there appeared to be technical difficulties on the island.

Paula Buchholz spoke to Bylaw 180 and objections to changes.

Chair Rogers said these concerns could be brought forward at the Public Hearing.

4. COMMUNITY INFORMATION MEETING

4.1 Land Use Bylaw Technical Review - Bylaw No. 180

Planner Chadwick reviewed procedures to date regarding notifications, referrals and information binder on the Islands Trust (IT) website:

- Definition changes;
- Updating and clarification;
- Added derelict vehicles;
- Mayne Island Resort dock included in dock zone;
- Map identified secondary suites; and
- Definition of Passive Park.

There have been three public submissions received and the Capital Regional District (CRD) has raised concerns regarding the definition of Passive Park.

Chair Rogers informed the Committee that two submissions were received after the closing date – Emergency Responders and adjacent land owner.

5. PUBLIC HEARING

5.1 Mayne Island Local Trust Committee Bylaw No. 180 - LUB Amendment No. 1, 2020

Public Hearing binder under separate cover.

6. MINUTES

6.1 Local Trust Committee Minutes Dated September 28, 2020

By general consent, the Local Trust Committee meeting minutes of September 28, 2020 were adopted.

6.2 Section 26 Resolutions-without-meeting Report – None

6.3 Advisory Planning Commission Minutes – None

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated October 2020

Planner Chadwick informed the Committee that arrangements are progressing for the meeting with Ministry of Transportation, and the letter to First Nations will be sent once LTC meeting schedule is confirmed.

8. DELEGATIONS – None

9. CORRESPONDENCE

Correspondence received concerning current applications or projects is posted to the LTC webpage.

10. APPLICATIONS AND REFERRALS

10.1 MA-DVP-2020.8 (Peace) - Preliminary Staff Report

Planner Chadwick reported that the hydrogeologist noted the water quantity is slightly lower than required and there are some issues with water quality .

The DVP relates to water quantity. Issues related to water quality can be addressed in a covenant.

RPM Kojima stated that the applicant is willing to invest in a covenant if the LTC is supportive of the DVP application proceeding through the notification process.

MA-2020-075

It was Moved and Seconded,

that the Mayne Island Local Trust Committee request staff to circulate the statutory notice for Development Variance Permit application MA-DVP-2020.8 (Peace).

CARRIED

10.2 MA-DVP-2020.7 (Cochrane) – Amended Application - Staff Report

Planner Testemale reviewed the amended application: first two variances have been removed and remaining variances address side yard setbacks.

MA-2020-076

It was Moved and Seconded,

that the Mayne Island Local Trust Committee amend Development Variance Permit MA-DVP-2020.7 (Cochrane) by removing 2 a) and b) in their entirety and altering Schedule 'A' accordingly as shown in Attachment 1.

CARRIED

MA-2020-077

It was Moved and Seconded,

that the Mayne Island Local Trust Committee approve issuance of Development Variance Permit MA-DVP-2020.7 as amended; and,

CARRIED

MA-2020-078

It was Moved and Seconded,

that the Mayne Island Local Trust Committee directs staff to inform the Advisory Planning Committee that input on the application referral is no longer required, and to thank them for their work to date on this file.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Mayne Island Local Trust Committee Bylaw No. 180 – Post Public Hearing

Planner Chadwick verified that there is no rezoning application from CRD before the LTC at this time.

Discussion regarding fences, fence materials and parking limitations for area.

Issues raised by Emergency Services regarding parking can be addressed if a rezoning application is made.

RPM Kojima was questioned as to the following parking issues and if LTC could rezone the property:

- Rezoning initiative as a Project;
- Passive Park definition would restrict CRD development to what is there now.
-

MA-2020-079

It was Moved and Seconded,

that the Mayne Island Local Trust Committee Bylaw No. 180, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2020” be read a third time.

CARRIED

MA-2020-080

It was Moved and Seconded,

that the Mayne Island Local Trust Committee Bylaw No. 180, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2020” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

Chair Rogers and Trustees expressed appreciation to all the Planners for their efforts on this project.

11.2 Mayne Island Housing Regulations and Policy Review – Staff Report

Planner Chadwick suggested a special meeting be arranged for discussion of housing options, density distribution scenario, etc.

Discussion to invite Advisory Planning Commission (APC), Housing Options Committee and Mayne Island Affordable Housing Society and that it be a workshop format.

MA-2020-081

It was Moved and Seconded,

that the Mayne Island Local Trust Committee request staff to schedule a special meeting to discuss options supporting housing flexibility and specifically invite Advisory Planning Committee (APC), Housing Options Committee members and Mayne Island Affordable Housing Society.

CARRIED

Planner Chadwick will move forward on organizing an afternoon meeting for mid-January.

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated October 2020

RPM Kojima informed the LTC that the preliminary report on groundwater sustainability will be on the November agenda.

12.1.2 Projects List Report Dated October 2020 -ongoing

12.2 Applications Report Dated October 2020

Planner Chadwick informed LTC that Public Hearing for Cotton Park will be on the November agenda and that Housing Society is getting materials together for their rezoning application.

12.3 Trustee and Local Expense Report Dated August 2020

Received for information.

12.4 Adopted Policies and Standing Resolutions

Received for information.

12.5 Local Trust Committee Webpage

To be updated at close of meeting.

12.6 Chair's Report

Chair Rogers reported on the following:

- Trust Council will go to a three-day process of 3-hour sessions,
- There will be \$200,000 for each of three years through Federal Grant for Islands Trust Conservancy to increase proactive work for Species at Risk,
- Reconciliation continues, and

- Trust Council meetings for January 2021 through June 2021 to be electronic, with last six months of year to be in person if allowed.

12.7 Trustee Report

Trustees spoke in regards to the following:

- CRD acquisition of property adjacent to Mount Parke Park;
- Need to revisit election signs postings;
- Real estate market busy – sales bringing many new people to island;
- Concerns for population as cold weather and very few activities increase isolation; and
- Need to ask BC Ferries for a printed schedule so they will continue to print.

12.8 Islands Trust Conservancy Report Dated October 2020

Received for information.

13. NEW BUSINESS - None

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for November 30, 2020

MA-2020-082

It was Moved and Seconded,

that the Mayne Island Local Trust Committee meeting for November 30, 2020 be held electronically.

CARRIED

14.2 Draft 2021 LTC Meeting Schedule

MA-2020-083

It was Moved and Seconded,

that the Mayne Island Local Trust Committee adopted the 2021 Local Trust Committee Meeting schedule as presented.

CARRIED

15. TOWN HALL - None

16. CLOSED MEETING

None

17. ADJOURNMENT

By general consent, the meeting was adjourned at 2:54 p.m.

Dan Rogers, Chair

Certified Correct:

Pat Todd, Recorder



Follow Up Action Report

Mayne Island

24-Feb-2020

Activity	Responsibility	Dates	Status
1 7.1 Meeting to be arranged with the Ministry of Transportation and Infrastructure - to be set up by zoom.	Narrisa Chadwick	Target: 20-Nov-2020	In Progress

27-Jul-2020

Activity	Responsibility	Dates	Status
1 12.4 Adopted Policies and Standing Resolutions - Letter to FN re: LTC meetings to be sent.	Lisa Wilcox Narrisa Chadwick	Target: 13-Nov-2020	Completed

26-Oct-2020

Activity	Responsibility	Dates	Status
1 6.1 Meeting minutes adopted as presented.	Maple Hung	Target: 06-Nov-2020	Completed
2 10.1 MA-DVP-2020.8 (Peace) notice to be circulated. (Staff is working on it - pending)	Maple Hung Narrisa Chadwick	Target: 30-Oct-2020	In Progress
3 10.2 MA-DVP-2020.7 (Cochrane) - Issue DVP a amended.	Maple Hung Phil Testemale	Target: 06-Nov-2020	Completed
4 11.1 Bylaw 180 (LUB Technical Review) - Bylaw read for the 3rd time. Bylaw to be forwarded to the Executive Committee for approval.	Maple Hung Narrisa Chadwick	Target: 06-Nov-2020	Completed

Follow Up Action Report

Mayne Island

26-Oct-2020

Activity	Responsibility	Dates	Status
5 11.2 Mayne Island Housing Policy Review - Special meeting to be scheduled for January and publicized in Maynliner. Invitations to be sent directly to APC, MIHS and former housing options committee. (Staff is continually working on this - pending)	Narrisa Chadwick	Target: 13-Nov-2020	In Progress
6 14.2 2021 LTC meeting schedule adopted.	Maple Hung	Target: 06-Nov-2020	Completed

DATE OF MEETING: October 26, 2020
TO: Mayne Island Local Trust Committee
FROM: Narissa Chadwick, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Mayne Island Land Use Bylaw 177/178 – Cotton Park (Post Public Hearing)

RECOMMENDATION

1. That the Mayne Island Local Trust Committee Bylaw No. 177, cited as “Mayne Island Official Community Plan No. 144, 2007, Amendment No.1, 2019” be read a third time.
2. That the Mayne Island Local Trust Committee Bylaw No. 177, cited as “Mayne Island Official Community Plan No. 144, 2007, Amendment No.1, 2019” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.
3. That the Mayne Island Local Trust Committee Bylaw No. 178, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2019” be read a third time.
4. That the Mayne Island Local Trust Committee Bylaw No. 178, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2019” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

To purpose of this report is to outline the process for approving Bylaw No. 177 and 178 (Cotton Park Rezoning).

BACKGROUND

Background to this application, including staff reports is available on the Islands Trust website: <http://www.islandstrust.bc.ca/islands/local-trust-areas/mayne/current-applications/current-application-documents/>

Bylaw No. 177 cited as “Mayne Island Official Community Plan Bylaw No, 144, 2007, Amendment No. 1, 2019” involves an amendment to the land use designation.

Bylaw 178 cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2019” involves amending zoning form Rural (R) to a site specific Community and Regional Park zone (P(b)).

A public hearing is scheduled for November 30, 2020. A public hearing is a quasi-judicial process within and following which specific procedures must be followed. Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

- Consideration of Third Reading.
- Forwarding of the bylaw to Executive Committee for approval.
- Forwarding of OCP amendment to the Ministry of Municipal Affairs and Housing for approval.
- Reconsideration and adoption.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing.

A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner's consent.

If the Executive Committee approves the bylaw, the next step for the LTC would be to adopt the bylaw.

Rationale for Recommendation

Should the Mayne Island LTC choose to move forward to approve the proposed bylaws, the recommendations are in keeping with legislative process for the approval of Islands Trust bylaws.

ALTERNATIVES

1. Amend the Bylaws before moving to Third Reading

The LTC may choose to amend the Bylaw before moving to third reading.

That the Mayne Island Local Trust Committee Bylaw No. 177, cited as "Mayne Island Official Community Plan No. 144, 2007, Amendment No.1, 2019" be read a third time as amended.

That the Mayne Island Local Trust Committee Bylaw No. 178, cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2019" be read a third time as amended.

2. Request further information

The LTC may request further information prior to making a decision. Staff advise that this will extend the timeline for Bylaw adoption. The information being requested will need to be specified in the resolution.

That the Mayne Island Local Trust Committee request information onbefore moving Mayne Island Local Trust Committee Bylaw No. 177, cited as "Mayne Island Official Community Plan No. 144, 2007, Amendment No.1, 2019" to third reading.

That the Mayne Island Local Trust Committee request information onbefore moving Mayne Island Local Trust Committee Bylaw No. 178, cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2019" to third reading.

3. Do not approve the bylaw

The LTC may choose not to approve the bylaw.

That the Mayne Island Local Trust Committee Bylaw No. 177, cited as “Mayne Island Official Community Plan No. 144, 2007, Amendment No.1, 2019” not be approved.

That the Mayne Island Local Trust Committee Bylaw No. 178, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2019” not be approved.

NEXT STEPS

- Staff will forward Bylaws 177 and 178 to the Secretary of the Islands Trust for approval by the Executive Committee.
- Once approved by the Executive Committee the Bylaws will come back to the LTC for final approval.

Submitted By:	Narissa Chadwick RPP, Island Planner	November 17, 2020
Concurrence:	Robert Kojima, Regional Planning Manager	November 18, 2020

ATTACHMENTS

1. Bylaw 177
2. Bylaw 178

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 177

A BYLAW TO AMEND MAYNE ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 144, 2007

The Mayne Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2019”.

2. SCHEDULES

Mayne Island Official Community Plan No. 144, 2007 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS	25 TH	DAY OF	MARCH	2019.
READ A SECOND TIME THIS	28 TH	DAY OF	SEPTEMBER	2020.
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20__
READ A THIRD TIME THIS	_____	DAY OF	_____	20__
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20__
APPROVED BY THE MINISTER MUNICIPAL AFFAIRS AND HOUSING THIS	_____	DAY OF	_____	20__
ADOPTED THIS	_____	DAY OF	_____	20__

Chair

Secretary

**MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 177**

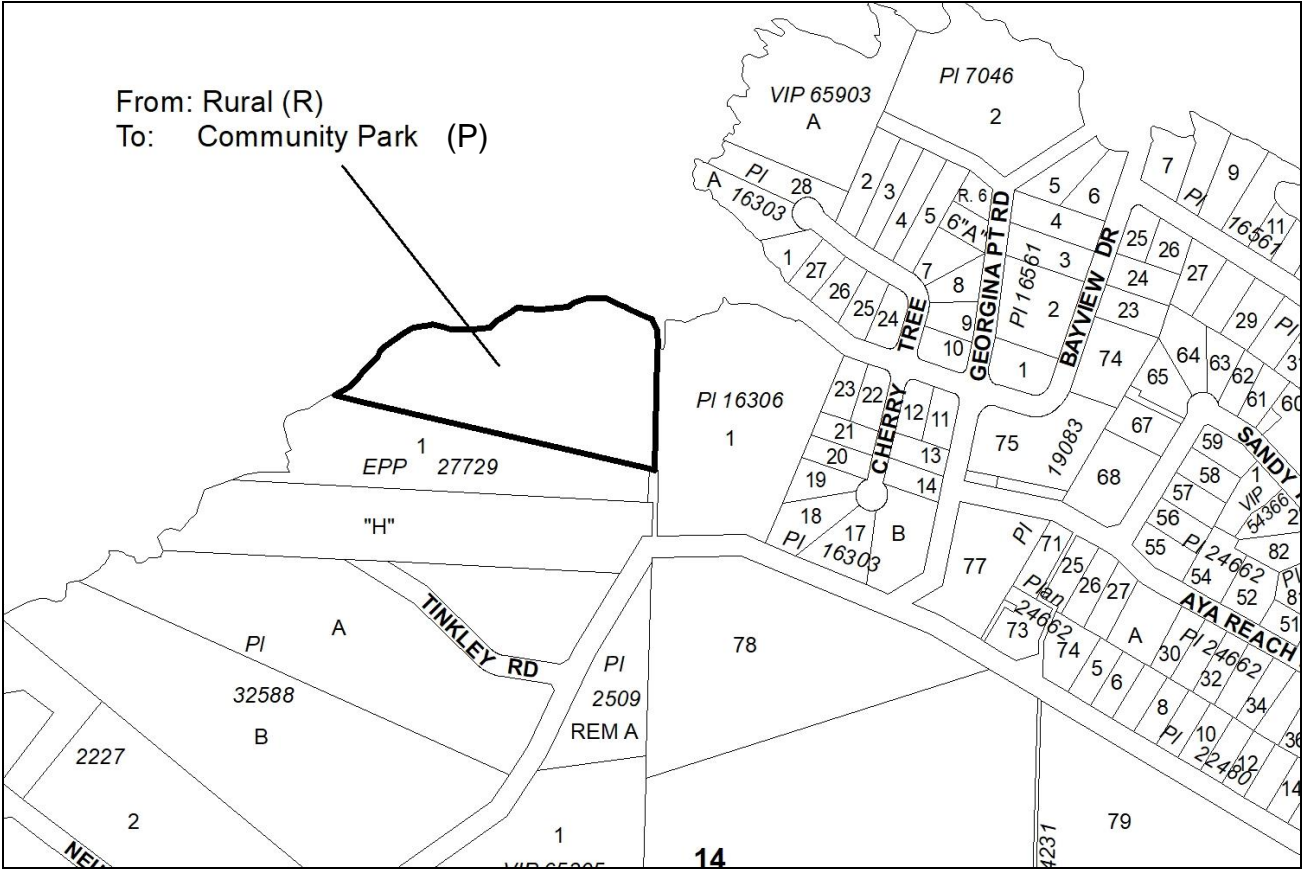
SCHEDULE 1

The Mayne Island Official Community Plan No. 144, 2007, is amended as follows:

1. By amending Schedule B by changing the land use designation on the South West $\frac{1}{4}$ of the North east $\frac{1}{4}$ of Section 14, Mayne Island, Cowichan District, except Parcel G (DD89729I) from the Rural (R) land use designation to the Community Park (P) land use designation as shown on Plan No. 1, which is attached to and forms part of this bylaw.

MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 177

Plan No.1



PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 178

A BYLAW TO AMEND MAYNE ISLAND LAND USE BYLAW NO. 146, 2008

The Mayne Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Mayne Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2019”.

2. Mayne Island Local Trust Committee Bylaw No. 146, cited as “Mayne Island Land Use Bylaw No. 146, 2008,” is amended as follows:

2.1 The Table listing “Site Specific Regulations” in subsection 5.17(6) is amended by adding the following immediately after Site Specific Zone P(a):

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site Specific Regulations
P(b)	South West ¼ of the North east ¼ of Section 14, Mayne Island, Cowichan District, except Parcel G (DD89729I)	Despite 5.17(2) the maximum combined area covered by all buildings and structures shall not exceed 44m ² (474ft ²).

2.2 Schedule “B” – Zoning Map, is amended by changing the zoning classification of the South West ¼ of the North east ¼ of Section 14, Mayne Island, Cowichan District, except Parcel G (DD89729I) from Rural (R) to Community and Regional Park P(b) as shown on Plan No. 1, which is attached to and forms part of this bylaw, and by making such alterations to Schedule “B” to Bylaw No. 146 as are required to effect this change.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

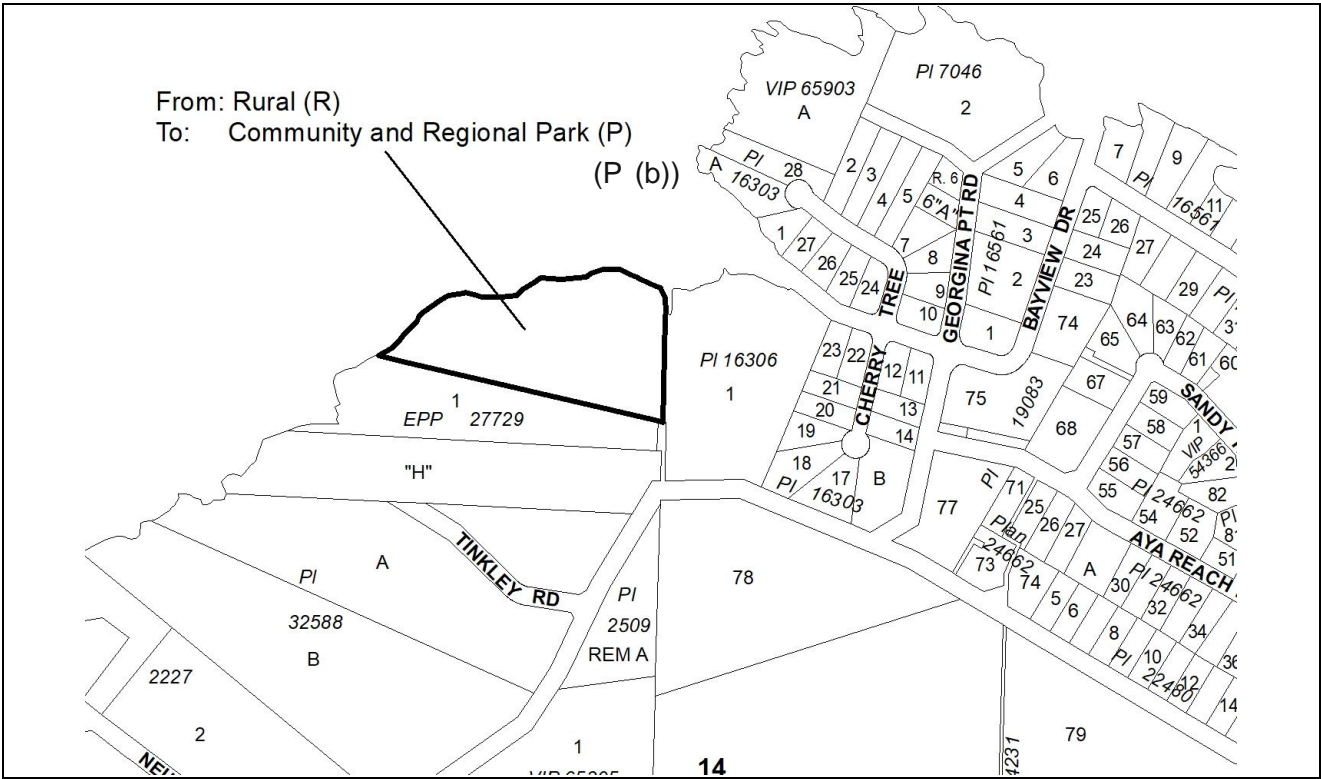
READ A FIRST TIME THIS	25 TH	DAY OF	MARCH	2019.
READ A SECOND TIME THIS	28 th	DAY OF	SEPTEMBER	2020.
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20__
READ A THIRD TIME THIS	_____	DAY OF	_____	20__
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20__
ADOPTED THIS	_____	DAY OF	_____	20__

Chair

Secretary

MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 178

Plan No. 1



MEMORANDUM

File No.: MA-SUB-2018.3 (Mayenburg)
Ref: MA-DVP-2020.8 (Peace),
MA-SUB-2019.1 (Mayenburg)

DATE OF MEETING: November 30, 2020
TO: Mayne Island Local Trust Committee
FROM: Narissa Chadwick, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Cost Recovery Agreement for Covenant

RECOMMENDATION

1. *That the Mayne Island Local Trust Committee enter into a cost recovery agreement with the property owner for the legal drafting and registration of a s.219 covenant addressing water quality related to MA-SUB-2018.3 (Mayenburg).*

PURPOSE

The purpose of this memo is for staff to receive direction from the LTC to engage in a cost recovery agreement with the property owner for the drafting and registration of as.219 covenant addressing water quality related to MA-SUB-2018.3 (Mayenburg).

BACKGROUND

Laboratory results of a February 10, 2020 sampling indicated the water quality of well on the subject property (445 Garrick Road) had elevated levels of iron, manganese, sodium and chloride. Section 8.11 (3) of the LUB states that where the water from a well does not meet the standards of potability as set in 8.11(1) and the report by a professional engineer or hydrogeologist states that with specific treatment systems the well can be certified as to potability, the subdivision may be approved provided that “ the applicant grants a s. 219 covenant to the LTC and to the CRD restricting use and occupancy of the land and any building or structure on the land until the owner installs a water treatment system which is effective in making the water from the well potable to no less a standard than that specified in this Bylaw”. The applicant has agreed to provide such a covenant.

NEXT STEPS

- Staff will draft the cost recovery agreement.
- Cost recovery agreement will be signed by property owner. Islands Trust lawyer will draft covenant.
- Property owner will review and sign covenant with notary/solicitor present.
- LTC will pass a resolution to accept covenant and authorize signature by the Chair
- The covenant will be registered at the Land Title Office by Islands Trust lawyer.

Submitted By:	Narissa Chadwick, Island Planner	November 17, 2020
Concurrence:	Robert Kojima, Regional Planning Manager	November 18, 2020

DATE OF MEETING: November 30, 2020

TO: Mayne Island Local Trust Committee

FROM: Narissa Chadwick, Island Planner
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: Report subject: Rezoning Application
Applicant: Mayne Island Housing Society
Location: 375 Village Bay Road

RECOMMENDATION

1. That the Mayne Island Local Trust Committee request staff to prepare draft bylaws to amend Land Use Bylaw No. 146, 2008 and Official Community Plan Bylaw No.144, 2007 to rezone Lot B, Section 7, Mayne Island, Cowichan District, Plan 27091.
2. That the Mayne Island Local Trust Committee request that a Section 219 covenant be granted by the owners of Lot B, Section 7, Mayne Island, Cowichan District, Plan 27091 that would identify the location of development, require water treatment and monitoring and areas to be preserved, as condition of adoption of the bylaws
3. That the Mayne Island Local Trust Committee require that a housing agreement related to the use of Lot B, Section 7, Mayne Island, Cowichan District, Plan 27091 be adopted prior to the adoption of the rezoning bylaws.
4. That the Mayne Island Local Trust Committee enter into a cost recovery agreement with the applicant for the drafting and registration of the Housing Agreement and Section 219 Covenant.
5. That the Mayne Island Local Trust Committee request the applicant to provide all requested information:
 - Hydrogeologists report
 - Arborist report
 - Hydrologist report
 - Information required for housing agreement
 - Site plan drawn to scale location of any proposed buildings, structures and land clearing
 - Site development plan identifying how ecologist recommendations have been incorporated
6. That the Mayne Island Local Trust Committee request staff to schedule a community information meeting prior to first reading.

REPORT SUMMARY

The purpose of this report is to provide an overview of the information that has been received from the applicant so far and identify additional information that may be requested by the LTC and submitted to staff, prior to the scheduling of a community information meeting.

BACKGROUND

The application would amend the Mayne Island Official Community Plan No. 144, 2007 (OCP) and Land Use Bylaw (LUB) No. 146, 2008 by rezoning the subject property from the Rural (R) zone to a new zone that would permit multi-family residential rental housing on about a third of the lot. The application is also to rezone to permit subdivision of the land to create a new parcel for the multi-family residential rental housing zone and create two lots out of the remaining Rural (R) land.

A preliminary report was submitted to the Mayne Island LTC on July 27, 2020. Since then most of the requested reports and required information have been received. There is some outstanding information and the potential for more information needed before the application is ready to be presented at a community information meeting. At the July 27, 2020 meeting:

MA-2020-049

It was Moved and Seconded,

that the Mayne Island Local Trust Committee ask staff to proceed with processing application MA-RZ-2020.1 (Mayne Island Housing Society).

To proceed with the application the following items were identified to be prepared and provided to staff:

- Report from Registered Professional Biologist
- Hydrogeologist report identifying proof of water and downstream impact
- Professionally prepared site survey and plan
- Professionally prepared site development plan/ building renderings
- Documentation relating to the feasibility of septic
- Documentation identifying the nature and management of the affordable housing unit to be used in drafting a housing agreement
- A pro forma providing a financial summary of the development plan

MA-2020-50

It was Moved and Seconded,

that the Mayne Island Local Trust Committee ask staff to have the proponent prepare and provide a report prepared by a professional hydrogeologist with relevant experience demonstrating proof of potable water and identifying downstream impacts.

MA-2020-51

It was Moved and Seconded,

that the Mayne Island Local Trust Committee request staff do an early referral of this application to Forest Lands and Natural Resources, Operations and Rural Development seeking feed back related to potential salt water intrusion and other water quality issues.

Items Received

1. Report from Registered Professional Biologist

An [ecological assessment report](#) for the proposed housing project was submitted on September 21, 2020. This report provides an assessment of the ecological values present on the site, an overview of the proposed property's surrounding land-use and ecological context and site-specific recommendations for incorporating ecological values into development design.

Recommendations included:

- Reducing fragmentation of the forest by keeping the development compact and minimizing the footprint of structures and services
- Retaining and establishing a Tree Protection Zone around remaining old veteran trees on the property.
- Retaining large diameter wildlife trees (dead standing trees).
- Minimizing the encroachment of the development footprint into moist/wet ecosystems.
- Minimizing disturbance to Douglas-fir / dull Oregon-grape Provincially red-listed ecological community within mapped Ecological Community
- Focusing development in and around areas where soils are already heavily disturbed and compacted as much as possible.
- Minimizing area of impervious surfaces and area of soil compaction including during the construction phase and post-construction ongoing use.
- Retaining as much forest structure and natural vegetation cover as possible.
 - a) Minimize impacts to vegetation during the construction process, and immediately revegetate/ restore any areas where temporary damage is necessary for construction purposes.
 - b) Retain large diameter coarse woody debris within undeveloped areas of the property to provide critical wildlife habitat.
- Restore areas outside of the development footprint where soils have been previously compacted (skid roads, logging landing sites) through 'rough and loose' treatment.
- Incorporate 'wildlife zones' into the design where no ongoing use occurs. Restoration and wildlife enhancement measures should be focused in these areas.
- Monitor, evaluate and if necessary employ further mitigation measures during all phases of the development and construction process.

In addition to the above, the following was also recommended:

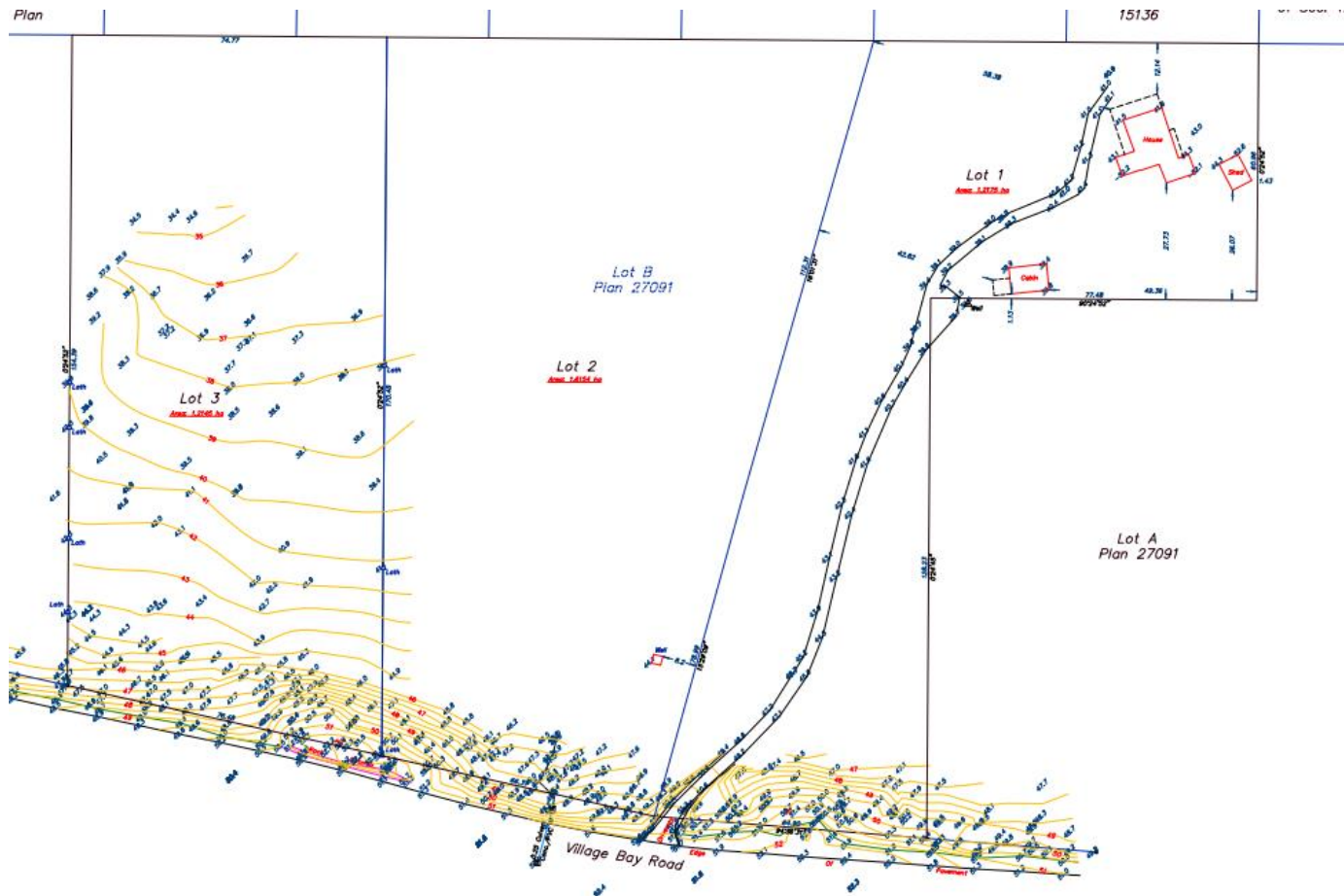
- **Consulting with a certified arborist** to determine the health the veteran trees, assess the impacts from the proposed development and provide recommendations for tree protection and establishing a critical rooting zone.
- **Consulting with a certified arborist** to determine safety considerations and setback requirements around wildlife trees. If necessary, top wildlife tree to reduce setback rather than remove completely.
- **Consulting with professional hydrologist** to determine direct impacts to hydrology from development and to prescribe measures required to mitigate on-site and downslope impacts.

Potential measures might include:

- a) Installation of bioswales, creation of rainwater gardens, constructed wetlands or retention ponds to promote infiltration of surface water and any diverted water into the ground.
- b) Installation of rainwater catchment and storage systems to reduce roof runoff and reduce pressure on groundwater resources.

2. Professionally prepared site plan and site development plan/ building renderings

1. **Site Survey and Site Plan:** The professionally surveyed plan of the proposed three lots for subdivision is identified below and is contained in Attachment 1. Lot 3 is the proposed area to be donated to the MIHS. Lot 2 is being proposed as a bonus density to the landowner in exchange for the donation of land to MIHS. A site plan, identifying the proposed location of the buildings, drawn to scale is still required.



2. **Site Development Plan/Building Renderings:** A proposed site development plan has been prepared by Architect Richard Iredale that considers and incorporates many of the recommendations made in the Biologist's report. The site plan and building renderings contained in Appendix 2 were presented at the community meeting the MIHS organized on September 14th. An additional drawing was submitted

identifying the location of the well and proposed septic field. Staff has requested the MIHS provide more details related to the incorporation of the ecologists report recommendations.

3. Hydrogeologist Reports

Two studies were commissioned from Professional Hydrogeologist Alan Kohut. One report was received in September. The second report had not been received at the time this report was drafted. However, a certified letter from the hydrologist summarizing key findings was submitted.

1. [A Preliminary Assessment of Groundwater Supply \(Report September 22, 2020\).](#) This was a desktop assessment of groundwater conditions for the property. It summarizes available information on ground water conditions, the prospects for developing an adequate and potable water supply and the potential effects of development on neighbouring properties, existing wells and surface water supplies. The report recommended a well be drilled and a 72-hour pump test be conducted to include water level monitoring of one or more neighbouring wells and springs.
2. [Findings of Groundwater Investigations for Proposed Affordable Housing \(Letter November 9, 2020 \).](#) The findings of the ground water investigations are based on a 72-hour pump test between October 3 and October 6, 2020 on a newly drilled well. The water level monitoring was carried out on the nearest neighbouring bedrock well and licenced spring on the property and on a private bedrock well off Maple Road.

Water Quantity: It was identified that the well is “more than capable” of supplying the estimated demand of the project. Also, none of the neighbouring wells or spring monitoring during the test showed any signs of water level interference from the pumped well.

Water Quality: Samples collected and submitted for laboratory testing indicate the water is low in overall mineralization, with low sodium, low chloride and no detectable coliform or E.coli bacteria. Dissolved manganese was reported at 349 parts per billion (ppb) exceeding the *Canadian Drinking Water Guideline* of 20 and 120 ppb.

Once the second report is received it will be reviewed by the Islands Trust’s Freshwater Specialist and sent to the Ministry of Forest Lands and Natural Resources, Operations and Rural Development seeking feedback related to potential salt water intrusion and other water quality issues (as requested by the LTC at the July LTC meeting).

4. Feasibility of Septic

[BWD Engineering Inc. conducted a general assessment](#) of the site with respect to the installation of a community onsite wastewater system of the proposed 10 units of housing on the proposed Lot 3 of the proposed subdivision. It was determined that an onsite sewerage system suitable for the proposed

development can be constructed to meet the current BC Provincial Sewerage System Regulation 326/2004.

5. Documentation identifying the nature and management of the affordable housing units

The purpose of the housing agreement bylaw is to ensure that a development provides affordable rentals in the long term, as intended. It is the LTC's only tool to enforce affordable housing terms, such as rent amounts and fee increases. The MIHS has provided some of the information required for a housing agreement. This includes:

1. **Identification of type of housing, number of units and proposed fees:** The breakdown of 20% shelter rate, 50% rent-geared-to-income subsidized housing, and 30% affordable market housing is in keeping with the BC Housing Community Housing Fund's prescribed rental structure.

Housing Type	Type of Rate	Cost	Number of Units
1 Bedroom	Subsidy	\$375.00	2
1 Bedroom	Rate Geared to Income	\$744.00	3
2 Bedroom	Rate Geared to Income	\$980.00	2
2 Bedroom	Market	\$1500.00	2
3 Bedroom	Market	\$1900.00	1

2. **Costs and Revenue Calculations:** In a detailed pro forma the MIHS has identified expected costs and existing and potential funding contributions. Maintenance costs have also been calculated as well as total revenue. Both maintenance costs and expected revenue consider inflation based increases per annum.

Staff have requested the MIHS provide further information needed for the housing agreement. This includes identification of criteria for housing rates, tenant selection and management of housing units.

ANALYSIS

Policy/Regulatory

A review of policy and regulatory consideration is contained in the Preliminary Report presented at the [July LTC meeting](#).

Additional considerations are identified below.

Issues and Opportunities

Biologist's Recommendations – As has been identified, many of the recommendations made in the Biologist's report have been incorporated into the site development plan (Attachment 2). As indicated, the report recommended further studies to be done. These include consulting an arborist regarding older trees and wildlife trees, and consulting a hydrologist to determine direct impacts to hydrology from development and to prescribe measures required to mitigate on-site and downslope impacts. The information gathered from these studies could identify additional conditions to be put into a Section 219 Covenant.

Issues with water quality – As identified in the hydrogeologist's letter (November 9, 2020), dissolved manganese was reported at 349 parts per billion (ppb) exceeding the *Canadian Drinking Water Guideline* of 20 and 120 ppb. The letter from the Hydrogeologist identifies that this issue can be addressed through treatment measures. At the time of subdivision a covenant would be required to ensure that filtration and monitoring requirements run with the land. Staff is recommending that a covenant containing these measures be registered as a condition of rezoning.

Housing Affordability Breakdown and Amenity Zoning – The subdivision plan for the property, creating three lots, is predicated on the idea that the additional lot for the current property owner will be permitted as a result of 3 acres being donated toward affordable housing. The LTC should consider whether the proposal, including 30% of the development rented at market rate, is consistent with community amenity provisions in the OCP supporting the increased density and the subdivision of the property into three lots.

Section 219 Covenant – Staff recommend that if the application proceeds, a Section 219 covenant be registered which would address water quality and identify conditions related to site design. Such a covenant could also limit development on the proposed Lot 2 to preserve the ecological integrity of a portion of the lot, retain a buffer, or pre-designate development sites. This may require additional work by a registered biologist to identify areas recommended for preservation on proposed Lot 2.

Consultation

Statutory Requirements and Community Information Meeting

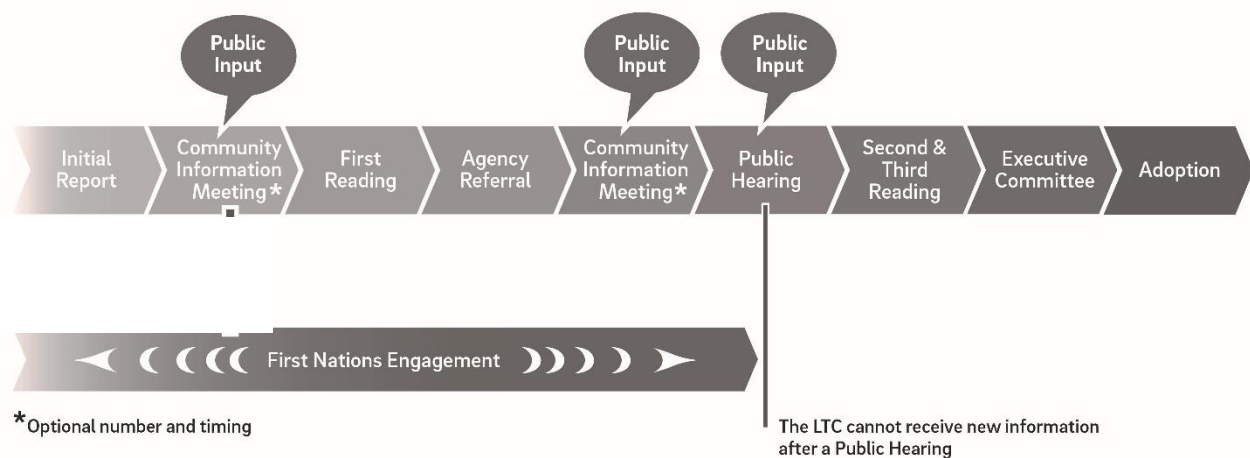
In accordance with statutory requirements, a public hearing is required and it is normal practice to hold at least one Community Information Meeting (CIM) prior to that. Because of the amount of community interest in the rezoning, staff is recommending that a CIM be held before First Reading.

Staff is recommending that bylaws be drafted and all the information requested from the application be received before scheduling the community information meeting. This would include information to be contained in the Housing Agreement and Section 219 Covenant.

The LTC could choose to have the Housing Agreement and Covenant drafted before the community information meeting. However, if changes are required after the community information meeting the applicant will incur additional legal fees to amend the covenant and/or housing agreement.

Timeline

A draft process timeline is identified below. Public input can be provided and considered at any time into the process up until the conclusion of the public hearing. The general process may also be updated at any time.



Please note that prior to adoption, the OCP amendment bylaw will need to be sent to the Ministry of Municipal Affairs and Housing for approval. Also, a second community information meeting will be held only if required.

Other Timing Considerations

Submission of all outstanding reports and information – Staff are still waiting to receive the hydrogeologists report and updated site plan.

Additional studies - Additional studies (e.g. arborist, hydrogeologist) are recommended. Staff recommend that these reports be submitted prior to scheduling the community information meeting.

Housing Agreement Information – Staff recommend all information contributing to the housing agreement be received prior to scheduling the community information meeting.

Section 219 Covenant Information – Staff recommend all information contributing to the section 219 covenant be received prior to the scheduling of the community information meeting. This includes:

- Updated site development plan reflecting recommendations related to the ecologist's report.
- Water treatment and monitoring requirements. This will involve consultation with the Islands Trust Freshwater Specialist and review of the hydrogeologist report.
- Covenant requirements for proposed Lot 2. This will involve consultation with staff regarding location of buildings and possible consultation with biologist to identify areas recommended for preservation.

Agencies

As listed in the preliminary report, draft bylaws will be referred to a number of agencies and First Nations.

First Nations

Meaningful engagement between the Island's Trust and these First Nations will be required. The Province will also be required to meet their consultative obligations as a decision to rezone would trigger an OCP bylaw amendment which would need ministerial approval.

At this time staff have conducted a desktop review that indicates there are potential archaeological sites within 100 m of the proposed development area. Therefore, land owners should seek clarification on the location of the sites in relation to development, review the provincial archaeological branch website, and be guided by the Islands Trust Chance Find Protocol.

Rationale for Recommendations

1. Given the strong amount of interest from the community in this project it is important that there be opportunity to provide input early in the process.
2. Having all the required information and draft bylaws prior to the community information meeting will help facilitate effective public engagement.
3. The need for consultation with an arborist and hydrologist is the result of recommendation made in the ecology report.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. **That staff be requested to schedule a community information meeting before all required information is received.**
This would involve excluding recommendation #5.
2. **That staff be requested to schedule a community information meeting after first reading.**
Recommendation #6 would be amended as follows: *That the Mayne Island Local Trust Committee request staff to schedule a community information meeting after first reading.*
3. **That consultation from an arborist and hydrologist not be required.**
Recommendation # 5 would be amended as follows: *That the Mayne Island Local Trust Committee request the applicant to provide all requested information to staff prior to the scheduling of a Community Information Meeting.*
4. **That the application be placed in abeyance**
Resolution: *That the Mayne Island Local Trust Committee hold application MA-RZ-2020.1 (MIHS) in abeyance pending.....*

5. Proceed no further with the application

The LTC could choose to not move forward with the application: *That the Mayne Island Local Trust Committee proceed no further with the application MA-RZ-2020.1 (MIHS).*

NEXT STEPS

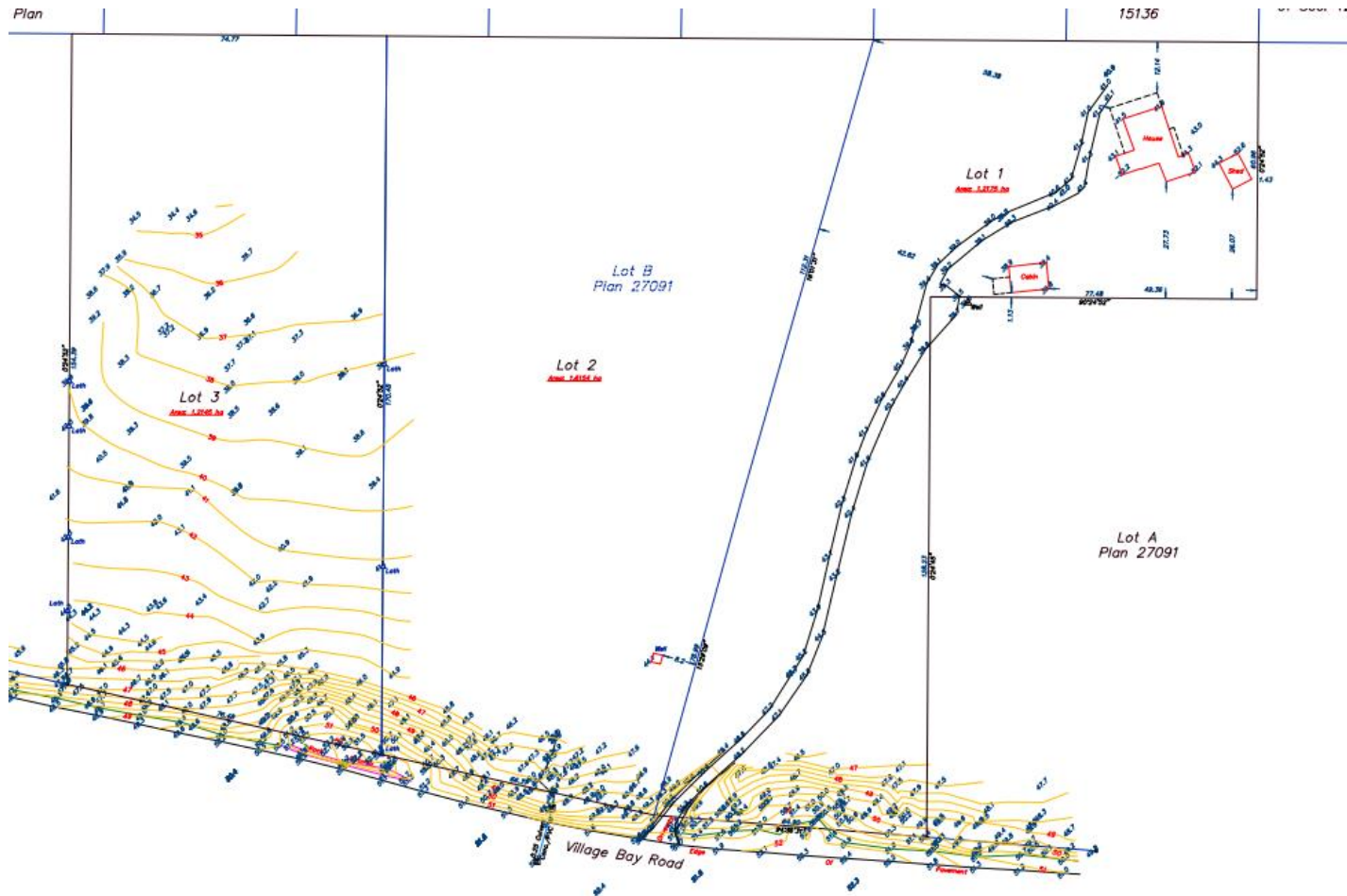
- Staff will request additional information from the applicant.
- Staff will draft bylaws.
- Staff will schedule community information meeting once all information is received.

Submitted By:	Narissa Chadwick RPP, Island Planner	November 13, 2020
Concurrence:	Robert Kojima, Regional Planning Manager	November 17, 2020

ATTACHMENTS

1. Site Survey
2. Site Development Plan/Building Renderings

Attachment 1 – Site Survey

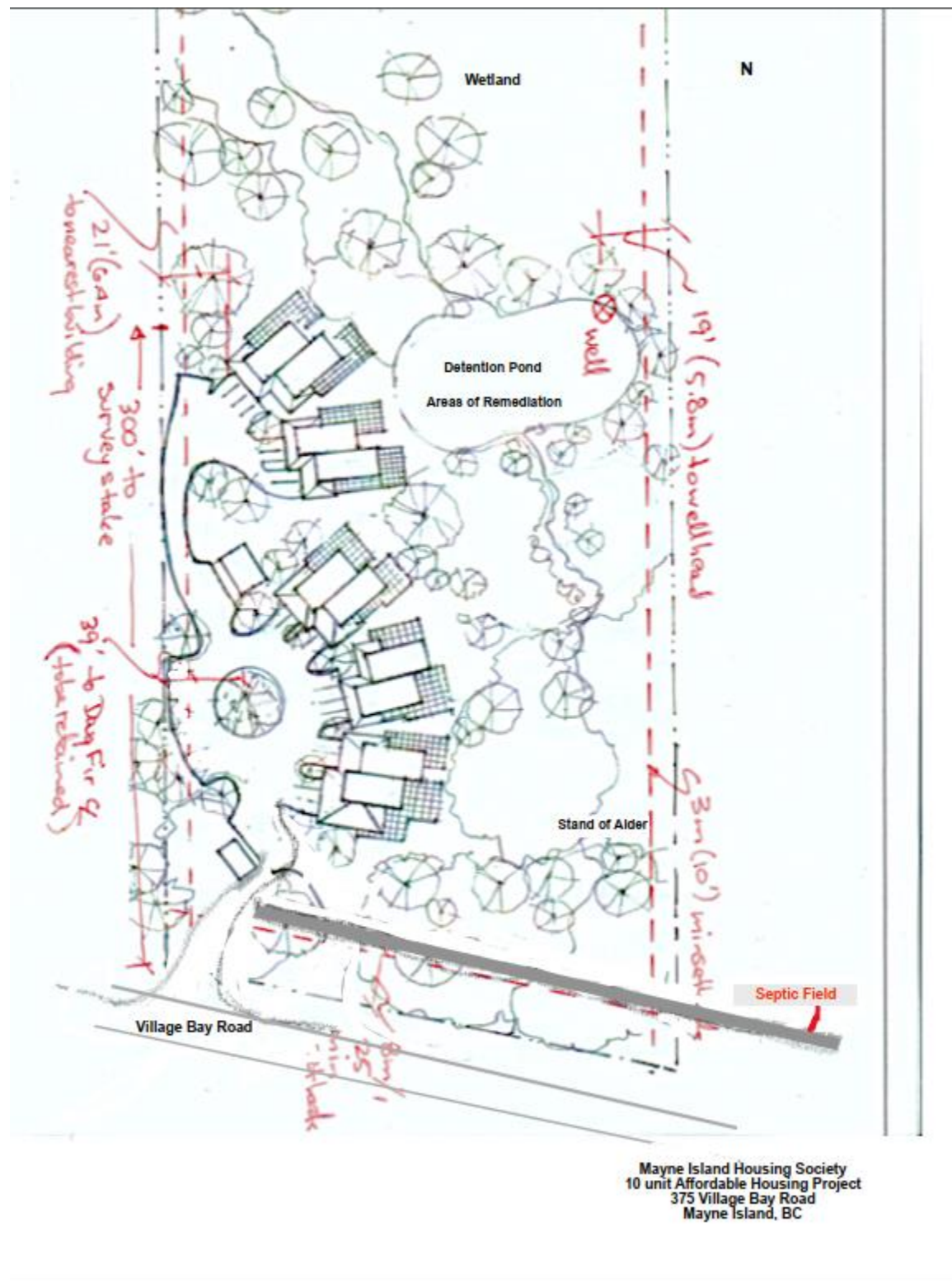


Attachment 2 : Site Development Plans/Building Renderings

Site Development Plan



Site Development Plan with Well and Septic



Building Renderings



DATE OF MEETING: November 26, 2020

TO: Local Trust Committees (Southern Region)

FROM: William Shulba, P.Ge, Senior Freshwater Specialist
Local Planning Services

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: Southern Gulf Islands Groundwater Sustainability Strategy Update

REPORT SUMMARY

The intention of this report is to provide preliminary results of the Southern Gulf Islands Groundwater Sustainability Strategy (project) with respect to the information involved, data generated, review process, update process, and next steps. Local trust committees should also consider if they wish to retain the project as a priority in the next fiscal year to proceed with a review of potential Official Community Plans (OCP) and Land-use Bylaw (LUB) amendments.

BACKGROUND

In March 2019, the Islands Trust Council declared a climate emergency in the Islands Trust Area, directing staff to include a central focus on equitable climate change mitigation, adaptation, and resilience into strategic planning.

The Islands Trust Policy Statement (policy 4.4.2) requires that local trust committees and island municipalities include in their OCP and LUB measures that ensure:

- neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater;
- water quality is maintained; and
- existing, anticipated and seasonal demands for water are considered and allowed for.

The Southern Gulf Island Local Trust Committees have identified groundwater resources as a priority in their OCPs and as part of their approval of land-use applications over the past decades. Previous researchers have recommended actions with respect to an ecosystem vulnerability approach to groundwater sustainability strategy and the Province of BC supports deep collaboration in groundwater-focused projects at the local government level and are an external partner in this project.

In summer of 2019, five local trust committees passed resolutions making the *Southern Gulf Islands Groundwater Sustainability Strategy* a top priority project and endorsing the project charter. GW Solutions of Nanaimo, B.C. was retained by Islands Trust in 2019/2020 fiscal year to undertake the main deliverables of the project. The data collection was conducted over the 2019/20 fiscal and deliverables in the form of draft maps and reports were received by Islands Trust in June 2020. The project was reviewed by staff and peer reviewed from July to October 2020, and modifications to the methodology and mapping are currently being made based on those reviews.

ANALYSIS

Project Phases

The Groundwater Sustainability Strategy project is a multi-year project set out in several phases to accomplish goals of groundwater sustainability for the Islands Trust Area.

- Phase 0: Data and Information Inventory
- Phase 1: Groundwater Recharge Potential Mapping
- Phase 2: Groundwater Availability Assessment
- Phase 3: Groundwater Sustainability Planning

The Southern Gulf Islands Groundwater Sustainability Strategy project Phase 0, Phase 1, and Phase 2, which included defined objectives, deliverables, and review, were conducted in fiscal years 19/20 and 20/21 and are completed or will be completed early in 2021. In Phase 3, mapping will be integrated into local planning services as the final deliverables are received. LTCs should also consider if they wish to identify further work in the form of potential Official Community Plan (OCP) and Land-use Bylaw (LUB) amendments as Priority projects in fiscal 21/22.

Phase Objectives

Phase 0: Data and Information Inventory

- Inventory existing datasets that are required to assess groundwater recharge and availability; and
- Identify data gaps to be addressed in the future to improve understanding of groundwater availability.

Phase 1: Groundwater Recharge Potential Mapping

- Develop and run groundwater recharge potential spatial model for the Southern Gulf Islands; and
- Provide full and open access to groundwater recharge geospatial model including input data sets and output results for incorporation into Islands Trust mapping services.

Phase 2: Groundwater Availability Assessment

- Develop and run a spatial groundwater budget assessment for the Southern Gulf Islands; and
- Provide full and open access to groundwater budget data dashboard including input data sets and output results for utilization by Islands Trust planning team.

Phase 3: Groundwater Sustainability Planning

- Finalize mapping to manage water resources on the Southern Gulf Islands through an improved understanding of groundwater recharge and availability;
- Provide tools for planning staff to support advice to LTCs in consideration of development proposals and long range planning projects;
- Provide documentation and educational materials to increase groundwater literacy in island communities; and
- Potential amendments to OCP and LUB.

Phase Methodology

Phase 1 Groundwater Recharge Potential Mapping

Groundwater recharge is a hydrologic process, where water moves downward from surface to subsurface into the forest floor and into aquifers in an integrated network of water-saturated geologic units and bedrock fractures. Groundwater recharge potential of a landscape depends on factors such as the capacity soils to retain water, interaction of watershed ecosystems, changes in topography, geology, biogeography, land-use, and precipitation distribution.

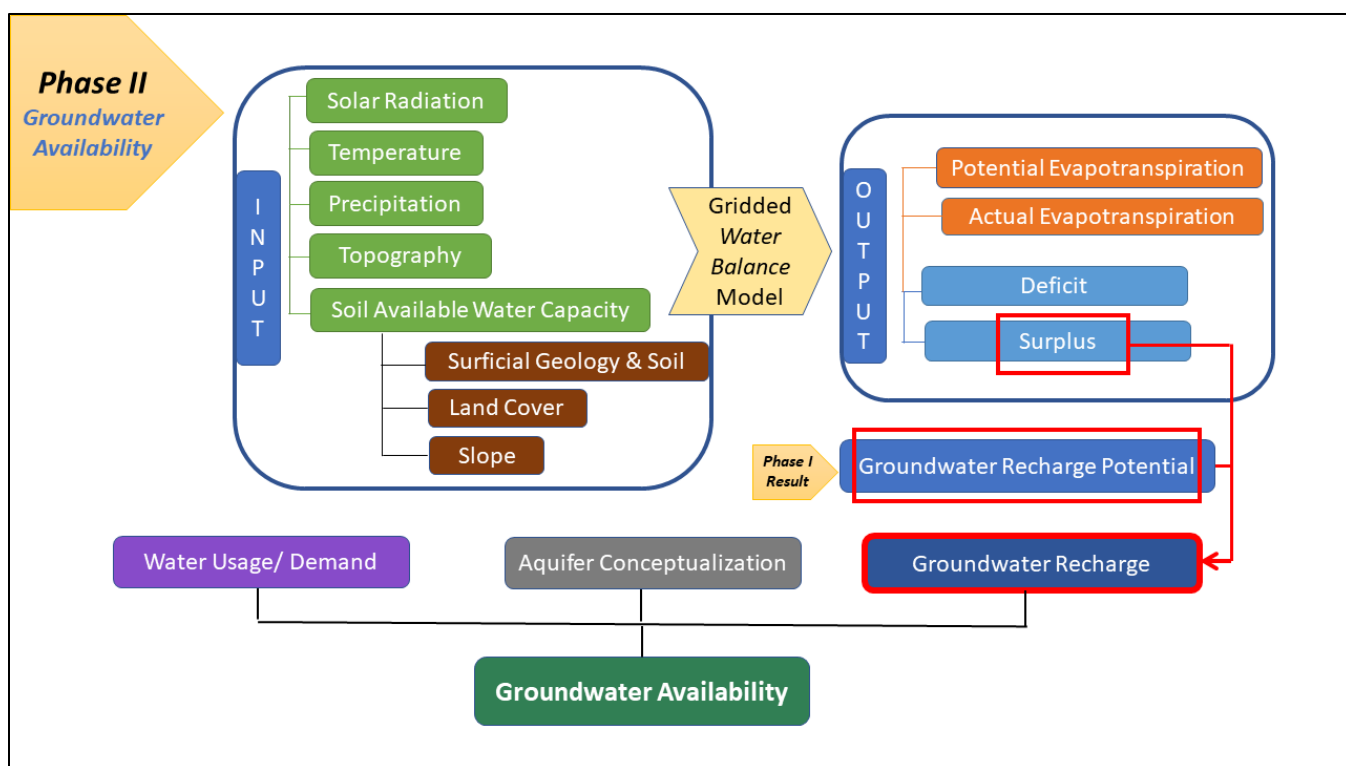
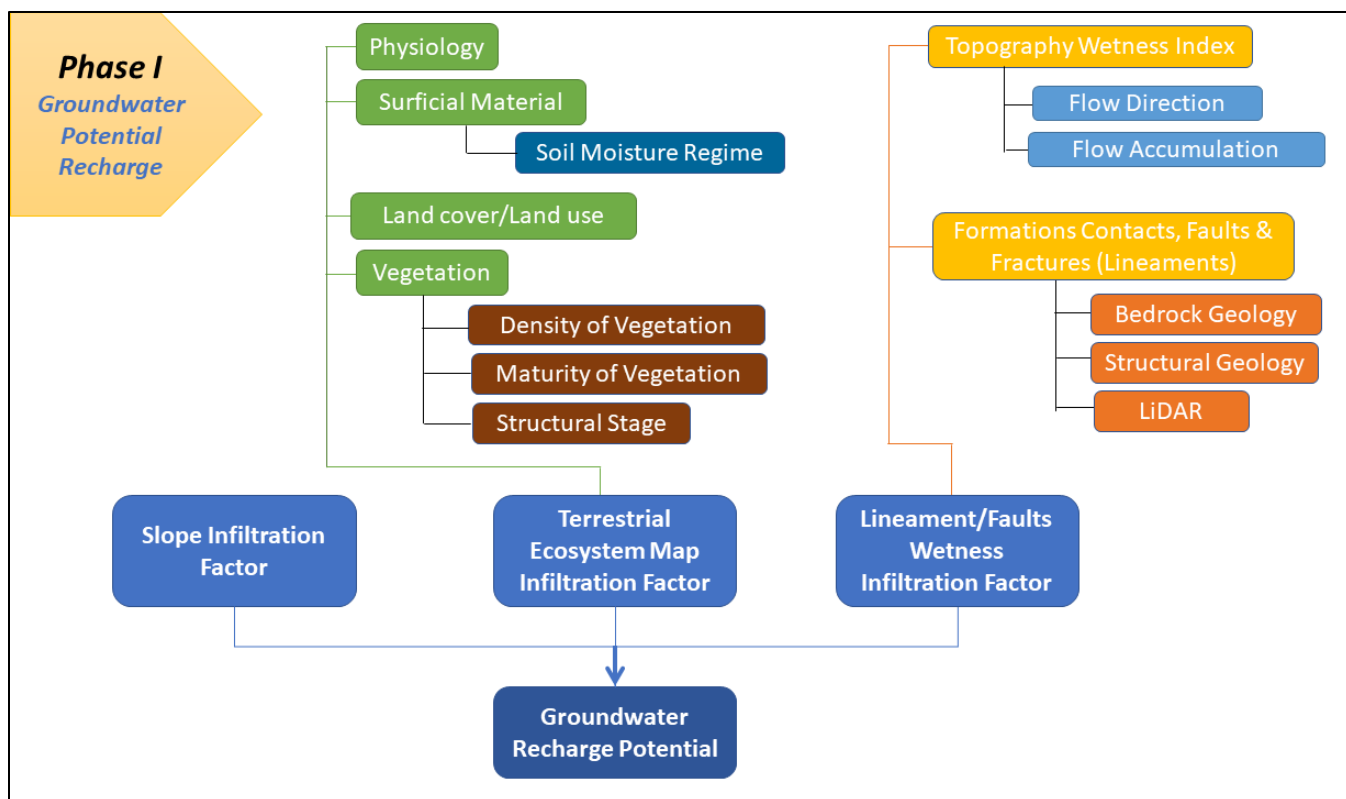
This project intends to spatially identify the intrinsic potential of an island to recharge groundwater and estimates the amount of groundwater available for use by island communities and the environment for each month. Across the Southern Gulf Islands, *diffuse recharge* is dependant on soil properties such as texture and moisture, land cover, forest age, and vegetation types specific to a Terrestrial Ecosystem Mapping (TEM) unit. *Localized recharge* in bedrock dominant landscapes is addressed by the analysis of topographic slope, faults, geologic contacts, and landscape lineaments.

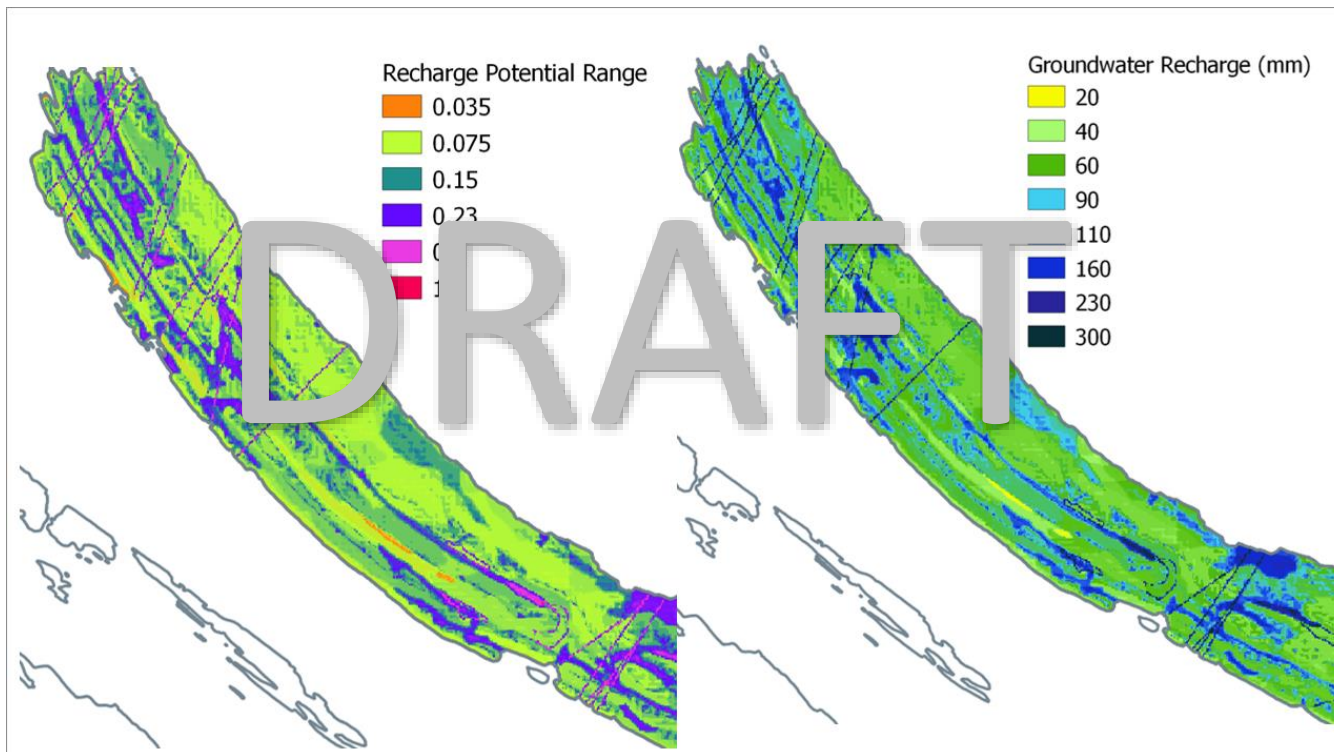
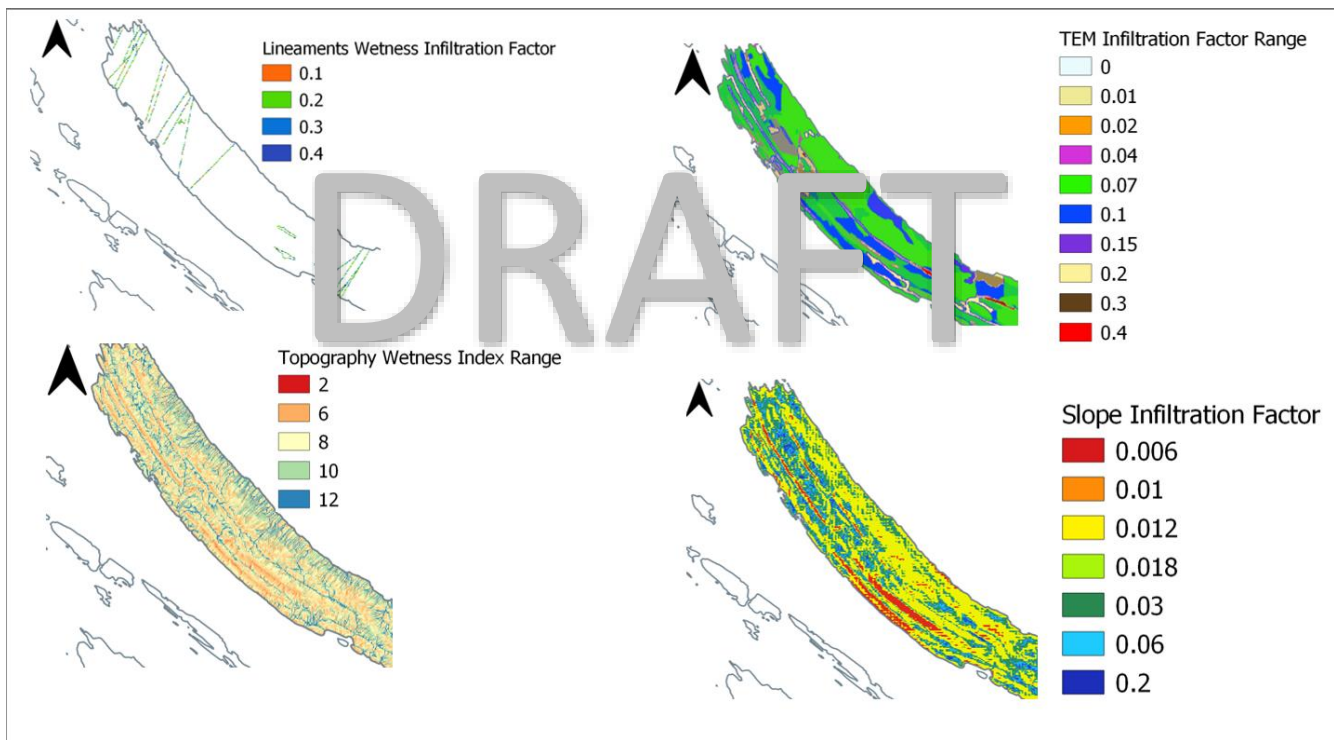
Groundwater recharge potential calculated at a 20 m x 20 m grid scale is organized into categories with low (less than 15%), moderate (15 - 23%), good (23 - 50%) and high (more than 50%) recharge potential. Using downscaled Pacific Climate Impacts Consortium climate data to estimate precipitation across the region, integrated with recharge potential maps, the amount of groundwater recharge ranges between 20 and 300 mm/year per grid cell.

As part of this phase, three-dimensional hydrogeological conceptual models were created from processing over 1700 groundwater well drilling reports stored in the GWELLS provincial database. These data were extracted, cleaned, and standardized for information related to fractures depth and estimated well yield. These island models known as implicit models, are dynamic to input data updates and are vital in conceptualization of the groundwater systems to further understand areas of interest including aquifer architecture, groundwater well density, risk of saltwater intrusion, intrinsic aquifer vulnerability to contamination, and spatial groundwater recharge distribution.

As part of this phase, groundwater regions, also known as groundwater management units, were delineated based on drainage areas, bedrock geology, mapped aquifers, structural geology and the distribution and characteristics of water wells. 48 groundwater regions have been defined for the Southern Gulf Islands. These regions are on the intermediate scale, whereby the regional scale is considered island-wide and the local scale is an individual parcel. The groundwater region is of similar scale to island watersheds and land-use zoning.

Below are flow diagrams that identify how each method contributes to the Phase with associated examples of the deliverables of the project, highlighting the northern tip of Galliano Island.





Phase 2: Groundwater Availability

To quantify the amount of groundwater available within groundwater regions, a methodology has been developed based on the climate variables, groundwater recharge potential, estimated water demand/usage, and three-dimensional island hydrogeological models.

To characterize aquifers and groundwater use, the provincial groundwater wells database GWELLS was extracted, cleaned, and standardized information related to fractures. Over 3000 wells were listed within the Southern Gulf Islands with approximately 1700 providing information on both fracture depth and estimated fracture yield per fracture. Driller reported groundwater yield information was extracted from 83% of the wells. These yields were classified and approximately 40% of the wells reports yields less than 2 USgpm (US gallons per minute), 40% of the wells reported yields between 2 to 15 USgpm, and 10 % greater than 15 USgpm. These values were used with land-use per parcel from BC Assessment to determine the amount of water that is being used by each parcel. Surface water use was estimated from water license information such as license status, application status, expiry date, granted volume, and use purpose and integrated into the groundwater budget model.

Based on the information presented in the GWELLS database and the type of water use for each well, the wells were classified into the following categories: *Water Supply System, Test Well, Private Domestic, Observation Well, Irrigation, Commercial and Industrial, and Unknown Well Use*. Unfortunately, the GWELLS database does not include all wells because groundwater well registration was voluntary prior to the implementation of the Water Sustainability Act on February 29, 2016.

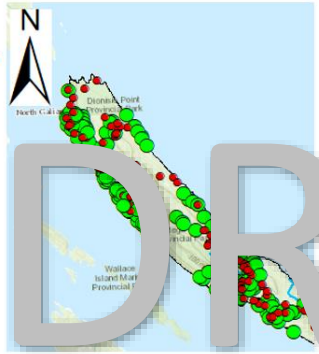
The GWELLS database does not include information on pumped volumes, only potential yields reported by drillers. Water usage for surface water and groundwater sources has been estimated since actual usage data is very poorly measured. Water usage was estimated from collation of BC Assessment land-use cadastral parcel map, GWELLS database, and water service areas regulated by VIHA.

This approach to understanding groundwater availability, a balance between estimated groundwater recharge potential to estimated water demand, has resulted in the percentage of groundwater usage to groundwater availability for each groundwater region. It reveals that groundwater usage reaches up to 75% of the groundwater recharge in some areas of the Southern Gulf Islands. This likely creates stress on environmental needs and/or can result in water conflicts.

Water Wells

Fracture data availability

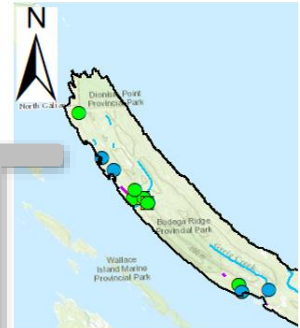
- Fracture data
- No fracture data



Licenses of Points of Diversion

Current Licenses

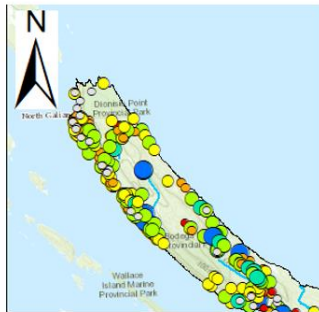
- Domestic
- Irrigation
- Institutional
- Industrial
- Commercial
- Supply System



Water Wells

Yield Range

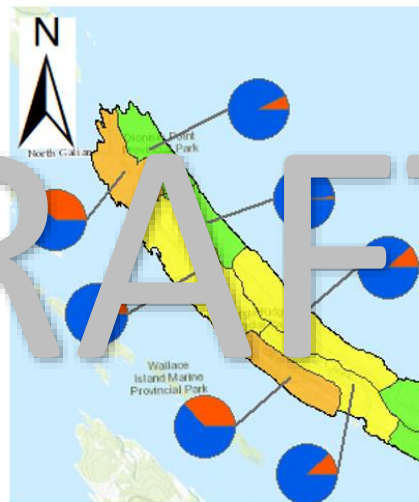
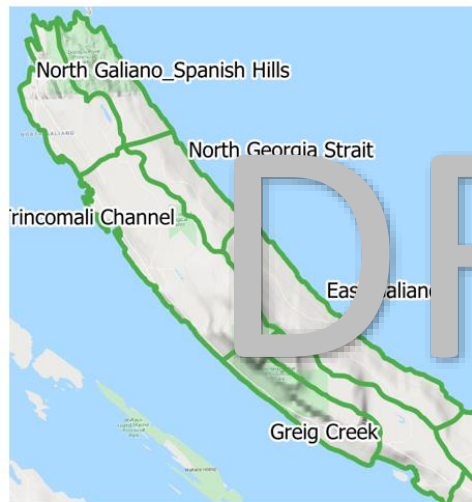
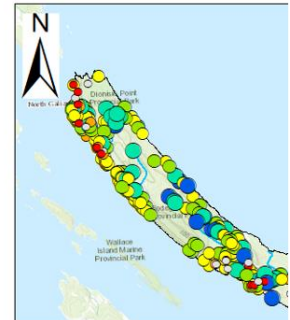
- <0.5 gpm
- 0.5-2 gpm
- 2-5 gpm
- 5-15 gpm
- 15-25 gpm
- >25 gpm
- Unknown



Water Wells

Depth Range

- <30 ft
- 30-100 ft
- 100-200 ft
- 200-300 ft
- 300-450 ft
- >450 ft
- Unknown



Water Budget Summary

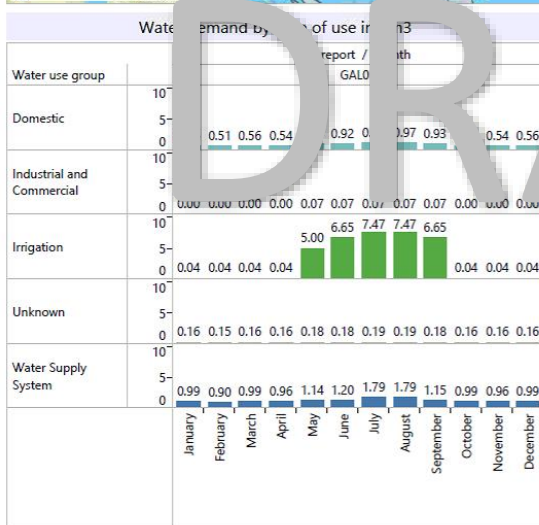
% of Usage from Recharge

- <10%
- 10-30%
- 30-50%
- 50-75%

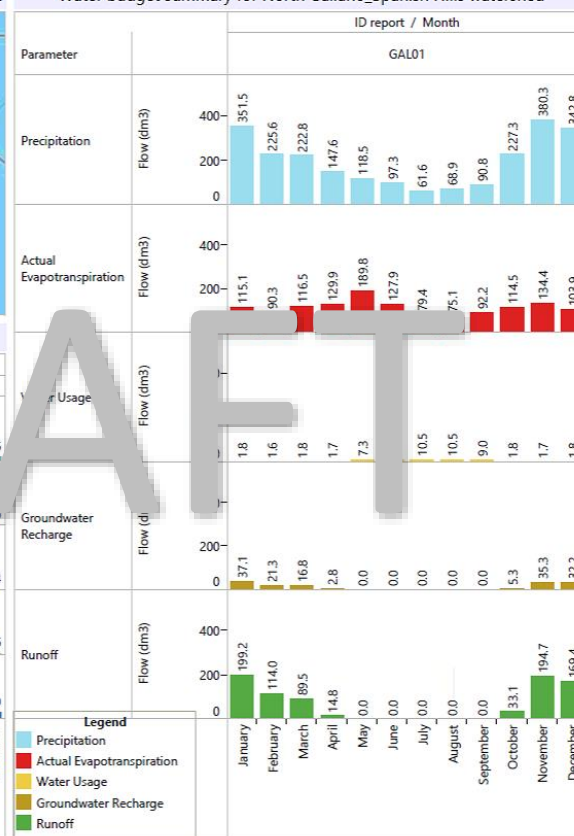
Groundwater Recharge

- Groundwater Usage
- Available Groundwater

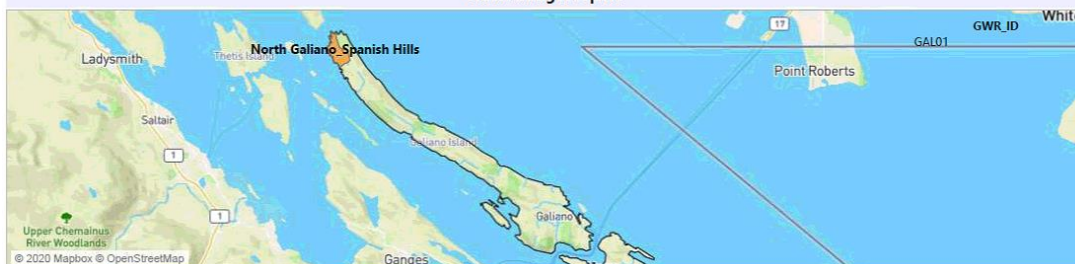
Water budget report for the watershed: North Galiano_Spanish Hills



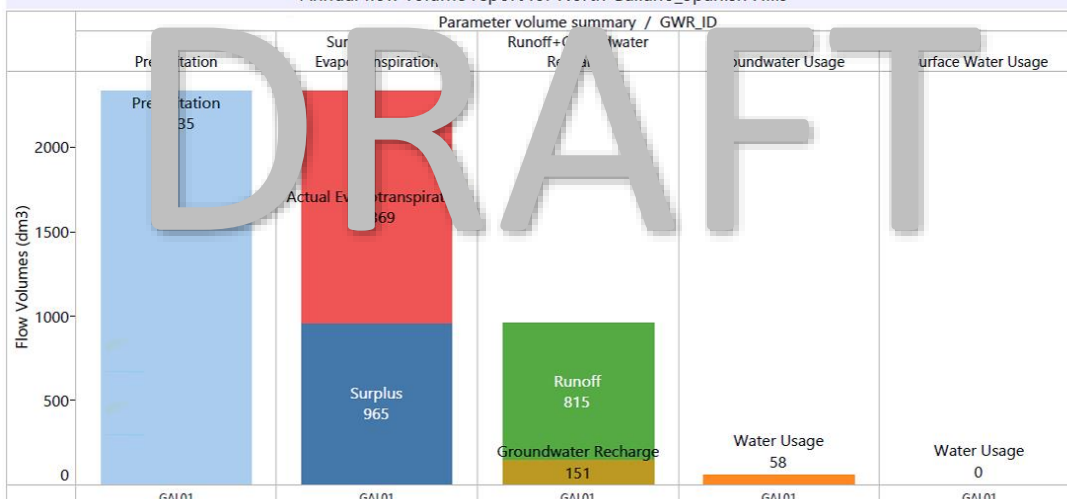
Water budget summary for North Galiano_Spanish Hills watershed



Water budget report



Annual flow volume report for North Galiano_Spanish Hills



Consultation

Due to the complexity and scope of the Project, Islands Trust Senior Freshwater Specialist identified in the Project Charter that a review is required to ensure the applicability and efficacy of the Project.

“Technical Services” budget for this project were carried over to fiscal year 2020/21 to retain groundwater consultants to provide professional reviews of the Project. In addition, several organizations, agency staff, and researchers supplied peer reviews at no cost to the project.

In July 2020, Islands Trust received peer reviews of the Project from the Hornby Water Stewardship, Salt Spring Island Watershed Protection Alliance, Provincial Hydrogeologists, Dr. Diana Allen of Simon Fraser University, and Dr. John Cox of Mount Royal University.

In August 2020, Islands Trust retained groundwater professionals Allan Daikin P.Eng, Allan Kohut P.Eng, Mike Wei P.Eng, Western Water Associates, and Dr. James Henderson P.Geo to provide professional reviews of the Project.

The intentions of the review are:

- to update the GW Solutions Project report to Islands Trust;
- to refine the recharge potential mapping methodology to be applied to the Southern Gulf Islands, and to Denman, Hornby, and Gabriola in FY20/21; and
- to coordinate sharing of groundwater expertise, information and knowledge.

Several reviewers acknowledged that GW Solutions has done a lot of work and brought good value to the Islands Trust. The Hornby Water Stewardship described the report as a “*fascinating read*” and described the approach as providing a promising understanding of the health of groundwater supplies in any Gulf Island. Others stated that the report provided a lot of very useful information to Islands Trust.

There were several common themes and recommendations among the reviews regarding the reporting of the project including but not limited to:

- improvements to the GW Solutions report readability and approachability,
- data errors and data limitations,
- increased study on the geological environments of the area,
- more focus on the Terrestrial Ecosystem Mapping,
- further investigation of the hydrogeology of groundwater discharge regions as they relate to surface water, and
- more explanation of the water balance methodology.

The review was mostly technical in nature and provided direction to improve the methodology and outcomes that the project team is currently working though to implement changes.

Timeline

The following timeline is a basic overview of the progress of the project and identification of timing of next steps.

Project Initialization Report	February 28, 2019
Master Project Charter	July 2, 2019
Request for Proposal	October 10, 2019
Contract Awarded	November, 2019
Project Deliverables	March 2020
Updated Draft Report	May, 2020
Peer (Volunteer) Reviews	June – July 2020
Professional (Contracted) Reviews	August – November 2020
Contractor Procurement	November 2020
Preliminary Staff Report	November 2020
Deliverables Finalization	January – February 2021
Final Report	March 2021

NEXT STEPS

1. Consultant finalization of the *Islands Trust Groundwater Recharge Mapping project* to addresses the recommendations of the peer review of the Southern Gulf Islands Groundwater Sustainability Strategy project.
2. The final draft of the project deliverables including groundwater recharge maps, groundwater assessment maps, and technical report in early 2021 for a final review before delivery to LTCs and presentation to the public.
3. Implementation through integration of mapping and data into routine review of land use applications and long range planning projects. This would be similar to how sensitive ecosystem data, slope hazard and other mapping data currently considered during application reviews.
4. LTC consideration of retaining the project as a Top Priority in fiscal year 21/22 to review options and consider potential amendments to bylaws. This could include amendments to OCP policies, amendment of existing development permit areas or establishment of new development permit areas, or amendment to existing regulations or establishment of new regulations for water storage or conditions of use. There is potential for the project to be conducted concurrently for more than one LTC in the region.

Submitted By:	William Shulba, P.Geo Senior Freshwater Specialist	November 18, 2020
Concurrence:	Robert Kojima, Regional Planning Manager	November 18, 2020

MEMORANDUM

File No.: MA-6500-20-2019 Technical
Review

DATE OF MEETING: November 30, 2020
TO: Mayne Island Local Trust Committee
FROM: Narissa Chadwick, Island Planner
Southern Team
COPY: Robert Kojima
SUBJECT: Bylaw 180 (LUB Technical Review) referral to First Nations

RECOMMENDATION

1. That the Mayne Island Local Trust Committee Bylaw No. 180, cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2020", be referred to First Nations.

PURPOSE

To address the Executive Committee (EC) return of Bylaw 180 to the Local Trust Committee for referral to First Nations.

BACKGROUND

- Following the October 26th meeting, where Bylaw 180 was read for a third time, the bylaw was referred to the Executive Committee for approval.
- At their November 18th, 2020 meeting the Executive Committee requested that Bylaw 180 be sent to First Nations for consultation. The draft resolution is as follows: "*That Executive Committee return Mayne Island Local Trust Committee Bylaw No. 180, cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2020" for referral to First Nations in consideration of Trust Council's reconciliation policies*".

NEXT STEPS

Should the LTC choose to support EC's request:

- Staff will refer bylaw 180 to relevant First Nations.
- If pertinent new information is received a new public hearing will need to be held.
- If there are no relevant responses, the bylaw will be returned to EC for approval.

Alternatively:

- The LTC could choose not to support the EC's request and refer the bylaw to Trust Council for approval under section 27(3) of the Islands Trust Act.

Submitted By:	Narissa Chadwick, Island Planner	November 18, 2020
Concurrence:	Robert Kojima, Regional Planning Manager	November 19, 2020

ATTACHMENTS

1. Bylaw 180

\\islandstrust.local\DFSMain\EDM\12 Long Range Planning\08 MA\6500 LTC Work Program\20 Projects (P)\2019 Technical Review\Staff reports\November LTC\MA-LTC-Nov2020_LUB Technical Review_bylaw referral.docx



Top Priorities Report

Mayne Island

1. Land Use Bylaw Technical Amendments

Draft Bylaw with technical amendments prepared for June 29, 2020 LTC agenda.
Through First reading at June 29 meeting, referrals sent, public hearing is being scheduled for September 2020.
Second reading July 27th.
Public Hearing postponed.
Additional amendments proposed at Sept. 28, 2020 meeting.
Public Hearing to be held prior to October 26, 2020 meeting.
Bylaw referred to Executive Committee. Bylaw returned for referral to First Nations.

Responsible

Narrisa Chadwick

Dates

Rec'd: 23-Sep-2019

2. Housing Regulations and Policy Review (tiny home initiative)

Initial staff report prepared for Oct 28, 2019 LTC meeting
Further staff report prepared for January 27, 2020 LTC Meeting
Report brought back to July 27, 2020 LTC meeting
Report prepared for September 28, 2020 LTC meeting
Report prepared for October 26, 2020 LTC meeting
Special meeting to be scheduled for January.

Responsible

Brad Smith
Narrisa Chadwick

Dates

Rec'd: 26-Nov-2018

3. Groundwater Sustainability Project

Update LTC with status of project at July 27, 2020 LTC Meeting.

Responsible

Narrisa Chadwick
William Shulba

Dates

Rec'd: 27-May-2019



Top Priorities Report

Mayne Island

Update provided to LTC at November 30th, 2020 LTV meeting.

Projects Report

Mayne Island

1. *Climate Change Adaptation*

Responsible

Date Received

Consider regulatory changes and implementation of new DPA authority

02-Mar-2009

2. *Waste Management*

Responsible

Date Received

31-Oct-2017

3. *Fallow Deer*

Responsible

Date Received

26-Mar-2018

4. *Cannabis Production - Regulating structures*

Responsible

Date Received

24-Sep-2018

5. *Review of Contractors Yards*

Responsible

Date Received

27-May-2019

6. *Paved surfaces and patios.*

Responsible

Date Received

28-Sep-2020

**Applications****Development Variance Permit**

File Number	Applicant Name	Date Received	Purpose
MA-DVP-2020.8	Peace, Wayne	23-Jul-2020	445 Garrick Road - Development Variance to divide the property into 5 parcels.

Planner: Narrisa Chadwick**Planning Status**

Status Date: 19-Nov-2020

DVP Notice to be circulated in time for January meeting.

Status Date: 26-Oct-2020

LTC authorizes circulation of notice

Status Date: 15-Oct-2020

Preliminary report to LTC October 26, 2020

Rezoning

File Number	Applicant Name	Date Received	Purpose
MA-RZ-2018.1	Capital Regional District (MIPRC)	01-Nov-2018	Application to amend the OCP and LUB to rezone from Rural to Park

Planner: Narrisa Chadwick**Planning Status**

Status Date: 28-Sep-2020

Bylaw read for second time, direction to schedule hearing for November meeting

Status Date: 18-Sep-2020

Staff report on Sept 28th agenda

Status Date: 17-Jun-2020

CRD to explore options to measure existing buildings. Site visits with FN focus to be organized when travel ban is lifted.



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
MA-RZ-2020.1	Mayne Island Housing Society	17-Jun-2020	375 Village Bay Road - Mayne Island Housing Society applying for a rezoning to allow for subdivision into two residential parcels and one multifamily development.
Planner: Narrisa Chadwick			
Planning Status			
Status Date: 19-Nov-2020 Second staff report presented to LTC based on information provided to date.			
Status Date: 02-Nov-2020 A number of documents received and reviewed by Planner Chadwick.			
Status Date: 14-Sep-2020 Planner Chadwick attended MIHS community forum			

Subdivision

File Number	Applicant Name	Date Received	Purpose
MA-SUB-2018.1	Brent Mayenburg (Maude)	09-Apr-2018	Referral of a subdivision for 3 lots
Planner: Narrisa Chadwick			
Planning Status			
Status Date: 22-Apr-2020 Extension of the PLA has been requested			
Status Date: 18-Sep-2019 Waiting for applicant to work through PLA conditions.			
Status Date: 16-May-2019 PLA received from MoTI April 25, 2019.			



Subdivision

File Number	Applicant Name	Date Received	Purpose
MA-SUB-2018.3	Wey Mayenburg Land Surveying Inc (Peace) Planner: Narrisa Chadwick	16-Oct-2018	Referral of a subdivision to decrease size
Planning Status			
Status Date: 05-Nov-2020 Legal service request for covenant sent and received back.			
Status Date: 15-Oct-2020 Preliminary report for water quantity DVP to LTC October 26.			
Status Date: 15-Oct-2020 Covenant for water quality required.			
File Number	Applicant Name	Date Received	Purpose
MA-SUB-2020.1	Arbutus Bay Estates Ltd. Planner: Phil Testemale	04-Jun-2020	797 Beechwood Drive - Subdivision referral application review for two lots.
Planning Status			
Status Date: 18-Sep-2020 Letter (August 31, 2020) to LTC req. waiving of req. for survey for DP on September 28, 2020 agenda.			
Status Date: 13-Aug-2020 PLRS was received from MoTI Officer, Owen Page. Completion of PR pending receipt of info from applicant.			
Status Date: 11-Aug-2020 Applicant is waiting for PLA prior to applying for DVP (required survey)			



Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
MA-TUP-2020.2	COSTELLO & BAKER	06-Nov-2020	To offer as STVR as condition on purchase and sale of property.

Planner: Phil Testemale

Planning Status

Status Date: 16-Nov-2020

Applicant recd EFT receipt fr FIN, added to electronic and paper files; emailed/posted Payment Recd letter to Applicant; emailed AppPkg to LTC. - SR

Status Date: 13-Nov-2020

Recd email fr Applicant notifying payment sent. - SR

Status Date: 12-Nov-2020

Created electronic and paper files; sent e-Transfer instructions as requested by Applicant; sent application package to RPM, assigned to Planner. - SR

Islands Trust
LTC EXP SUMMARY REPORT F2021
Invoices posted to Month ending September 2020

645 Mayne	Invoices posted to Month ending September 2020	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-645	LTC "Trustee Expenses"	506.00	0.00	506.00
LTC Local				
65200-645	LTC - Local Exp - LTC Meeting Expenses	673.00	987.13	-314.13
65210-645	LTC - Local Exp - APC Meeting Expenses	253.00	134.00	119.00
65220-645	LTC - Local Exp - Communications	250.00	294.76	-44.76
65230-645	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>1,470.00</u>	<u>1,415.89</u>	<u>54.11</u>
Projects				
73001-645-2005	Mayne OCP/LUB	2,500.00	180.93	2,319.07
73001-645-4100	Mayne Island Housing	3,000.00	0.00	3,000.00
TOTAL Project Expenses		<u>5,500.00</u>	<u>180.93</u>	<u>5,319.07</u>

Standing Resolutions Log

Mayne Island

Resolution Number	Action	Date
2020-022 (Standing)	Carried	24-Feb-2020
<p>that the Mayne Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area:</p> <p>Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:</p> <p>a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities;</p> <p>b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory;</p> <p>c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history;</p> <p>d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols;</p> <p>e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.</p>		

Standing Resolutions Log

Mayne Island

Resolution Number	Action	Date
2018-049 (Standing) <ul style="list-style-type: none"> - Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: <ul style="list-style-type: none"> o Name of the applicant and a description of the proposal in general terms o The location of the proposed establishment and the subject site o The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application o How public comments may be submitted to the local trust committee 	Carried	24-Sep-2018

Standing Resolutions Log

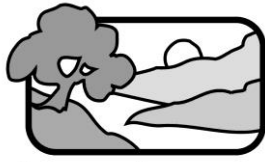
Mayne Island

Resolution Number	Action	Date
2017-028 (Standing)	Carried	26-Jun-2017
<p>That the Mayne Island Local Trust Committee adopts the following resolution in regards to Bylaw Enforcement of Unlawful Short Term Vacation Rentals (USTVR):</p> <p>a) Given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, Unlawful Short Term Vacation Rentals that have one or more of the following characteristics will be subject to proactive enforcement:</p> <ul style="list-style-type: none"> i) they are advertised on the internet, newspapers or other media; ii) they are not managed by an owner of the USTVR property who lives on Mayne Island; iii) more than one dwelling on the lot is simultaneously made available for USTVR; iv) while the property is used as a USTVR, persons are permitted to stay in tents or trailers; v) there are issues related to health and safety on the property; vi) there is a written complaint by owners or residents of two properties about bona fide serious nuisance issues such as noise or parking congestion related to the USTVR; vii) the owner of the property uses more than one property on Mayne Island as a USTVR. <p>b) Nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Mayne Island Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.</p>		
2017-027 (Standing)	Carried	26-Jun-2017
<p>That the Mayne Island Local Trust Committee directs staff to take enforcement action against unlawful dwellings only if one of the following conditions exists:</p> <ul style="list-style-type: none"> 1.1. There is a complaint from an immediate neighbor; or, 1.2. There is a referral from an agency responsible for health and safety issues that is doing concurrent enforcement. <p>2. Nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Mayne Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.</p>		
2016-055 (Standing)	Carried	27-Jun-2016
<p>that the Mayne Island Local Trust Committee direct staff to create a policy to advertise all statutory public notices in the Mayne Liner.</p>		

Standing Resolutions Log

Mayne Island

Resolution Number	Action	Date
2012-000 (Standing)	Carried	01-Feb-2012
That where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property where Mayne Island Land Use Bylaw 146, 2008 permits public assembly uses, such as halls, recreation facilities or restaurants, and where it can be determined that the organization or applicant have had no issues related to parking or past complaints for the preceding three years, staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.		
2011-044 (Standing)	Carried	02-May-2011
that Mayne Island Local Trust Committee direct staff to only include in-camera minutes on agendas where there are other reasons to close the meeting to the public.		



Islands Trust

BYLAW REFERRAL FORM

Suite 200, 1627 Fort Street
Victoria, B.C. BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: North Pender Island Local Trust Area Bylaw No.: 222 Date: November 4, 2020

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

N/A

PURPOSE OF BYLAW:

The North Pender Island Local Trust Committee (LTC) is reviewing the Temporary Use Permit (TUP) guidelines for Short Term Vacation Rentals (STVRs) as part of the LTC's Top Priority Project. The LTC is now proposing to amend the TUP section in the North Pender Island Official Community Plan (OCP) Bylaw No. 171, 2007 (OCP) in order to amend and add new STVR TUP guidelines.

Additional project background, including staff reports and results of community engagement, are available on the STVR review project webpage: <http://www.islandstrust.bc.ca/islands/local-trust-areas/north-pender/projects-initiatives/np-stvr-review-project/>

GENERAL LOCATION:

North Pender Island Local Trust Area

LEGAL DESCRIPTION:

N/A

SIZE OF PROPERTY AFFECTED:

N/A

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

N/A

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: www.islandstrust.bc.ca

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.


(Signature)

Name: Kim Stockdill

Title: Island Planner
Contact Info: Tel: 250-405-5157
Email: kstockdill@islandstrust.bc.ca

PLEASE TURN OVER 

This referral has been sent to the following agencies:

Federal Agencies

n/a

Provincial Agencies

Ministry of Municipal Affairs & Housing
BC Assessment Authority

Non-Agency Referrals

Islands Trust – Bylaw Enforcement
Magic Lake Property Owners Society
Razor Point Improvement District
Trincomali Water Improvement District

Regional Agencies

Capital Regional District – Building Inspection
Capital Regional District – Magic Lake Water & Sewer Committee

Adjacent Local Trust Committees and Municipalities

Mayne Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee
Salt Spring Island Local Trust Committee

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

North Pender Island Local Trust Area

(Island)

222

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)